

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

United States of America,

Plaintiff/Respondent,

v.

Criminal Case No. 15-20487

Jabron Thomas,

Sean F. Cox
United States District Court Judge

Defendant/Petitioner.

/

ORDER DENYING MOTION FOR COUNSEL

In this criminal action, a jury convicted Defendant Jabron Thomas of one count of armed bank robbery, one count of using a firearm in relation to a crime of violence, and one count of being a felon-in-possession of a firearm. (ECF No. 65). On May 11, 2019, the Court sentenced Defendant to a total term of imprisonment of 180 months. (ECF No. 90). Defendant filed a direct appeal.

On appeal, the United States Court of Appeals for the Sixth Circuit vacated Defendant's felon-in-possession conviction, finding that there was insufficient evidence to support that charge. (ECF No. 97). On remand, this Court re-sentenced Defendant to a total term of imprisonment of 162 months. (ECF No. 105).

Thereafter, Defendant filed a motion seeking to vacate his conviction pursuant to 28 U.S.C. § 2255. This Court denied that motion in an Opinion and Order issued on November 19, 2019, and declined to issue a certificate of appealability. (ECF No. 116).

On August 20, 2020, Defendant filed a *pro se* motion asking this Court to appoint counsel for him, asserting that needs the assistance of counsel to explore other means of challenging his convictions. (ECF No. 119). The Government filed a response in opposition to this motion on

November 17, 2020. (ECF No. 121).

Defendant has no constitutional right to the assistance of counsel in bringing a collateral challenge to his convictions. *Pennsylvania v. Finley*, 481 U.S. 551, 555 (1987). The “right to appointed counsel extends to the first appeal of right, and no further.” *Id.* Nevertheless, this Court has the discretion to appoint counsel if the circumstances warrant it.

Having reviewed Defendant’s motion, and the Government’s response brief in opposition to it, the Court concludes that the appointment of counsel is not warranted. As such, the Court **ORDERS** that Defendant’s motion for appointment of counsel is **DENIED**.

IT IS SO ORDERED.

s/Sean F. Cox

Sean F. Cox
United States District Judge

Dated: January 11, 2021